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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR. 23-CR-106 RS
)	
Plaintiff,)	STIPULATION AND ORDER CONTINUING
)	STATUS HEARING AND EXCLUDING TIME
v.)	UNDER THE SPEEDY TRIAL ACT FROM
)	DECEMBER 12, 2023, TO FEBRUARY 27, 2024
ERIC MARSIGLIA, and)	
AUGUSTO ALIZO)	
)	
Defendants.)	

On September 19, 2023, the parties appeared through counsel before the Court for a status conference in the above pending criminal action. The Court set a further status conference for December 12, 2023. The parties agreed that an exclusion of time under the Speedy Trial Act was appropriate from September 19, 2023, to December 12, 2023.

Counsel for the United States and the defendants have met and conferred and respectfully request that this Court continue the December 12, 2023, status hearing to February 27, 2024, at 9:30 a.m. for an in-person hearing. The reason for the requested continuance is that the United States is in the process of producing additional voluminous discovery, including more than 80,000 pages of documentary evidence, to the defendants, who require time to review the evidence, prepare their defenses, and discuss the appropriateness and possibility of a pre-trial resolution with the government.

1 The parties also request and stipulate that time between December 12, 2023, and February 27,
2 2024, be excluded for effective preparation of counsel pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

3 The parties further stipulate, and ask the Court to find, that the requested continuance and
4 exclusion of time are in the interests of justice and outweigh the best interest of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

6 IT IS SO STIPULATED

7
8 DATED: November 22, 2023

Respectfully submitted,

9 ISMAIL J. RAMSEY
United States Attorney

10 /s/
11 CHRISTIAAN H. HIGHSMITH
Assistant United States Attorney

12
13 DATED: November 22, 2023

/s/
14 GAIL SHIFMAN
Attorney for Defendant
15 ERIC MARSIGLIA

16
17 DATED: November 22, 2023

/s/
18 MARK S. LOWRY
MICHAEL J. ENTIN
Attorneys for Defendant
19 AUGUSTO ALIZO

ORDER

For the reasons stated above by the parties, IT IS HEREBY ORDERED that the status hearing currently set in this matter is hereby continued to February 27, 2024, at 9:30 a.m. Further, for the reasons stated above and because good cause has been shown, the time between December 12, 2023, and February 27, 2024, is excluded from the running of the speedy trial clock for effective preparation of counsel under 18 U.S.C. §3161(h)(7)(B)(iv). Failure to grant the continuance would deny the defendants' counsel the reasonable time necessary to prepare, taking into account the exercise of due diligence. Further, the requested continuance and exclusion of time are in the interests of justice and outweigh the best interest of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

DATED: 11/22/2023


HON. RICHARD SEEBORG
Chief United States District Judge